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10/035,987

SEP 25 2005**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Inventor: Isaac LEVANON *et al*
Assignee: 3DVU, Inc.
Serial No.: 10/035,987
Filed: December 24, 2001
Title: Optimized Image Delivery Over Limited Bandwidth ...
Examiner: David R. Lazaro
Group: 2155
Attorney Docket: 927/3

Declaration of Inventors

We, Isaac Levanon and Yoni Lavi, being first duly sworn, depose and say:

1. We hereby declare that we believe we are the original, first and co-inventors of the subject matter which is claimed herein for which a utility patent is sought on the invention described and claimed in the above-identified application; that we have reviewed and understand the contents of the application, including the claims; and, that we acknowledge our duty to disclose to the PTO information of which we are aware which is material to patentability of this invention as defined in 37 C.F.R. 1.56.
2. Our invention was made prior to 29 November 2000 – the date of filing by Robotham of the application which matured into US Patent 6,704,024. Our original Provisional applications 60/258,488; 60/258,489; 60/258,465; 60/258,468; 60/258,466; and 60/258,467 were all filed 27 December 2000. Since it is not possible to instantaneously create an invention and file an application the same day, it is self apparent that the invention was made some time prior to 27

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December 2000. Our invention also dates back prior to Robotham's provisional application, which was filed August 7, 2000.

3. The herein invention was first defined in October 1999, we had a working model in December 1999 and we can establish that we had the first working product on about 24 January 2000.

4. Our company was originally known as Flyover Technologies, Inc. and only changed to 3DVU, Inc. relatively recently, so the original materials bear the company name Flyover Technologies.

5. Attached hereto is a copy of the Zip drive directory which shows the files with the program constituting the invention. It can be seen that the dates of these files go all the way back into 1999. We have the source code and the images of the application dated in 1999 and, if requested by the PTO, copies can be made and provided. It may be appreciated that they are exceptional voluminous, so we do not want to burden the PTO with so much paper unless it is really required. An old HDD from 1999 was located and it shows files pertaining to this invention, bearing dates 29 November 1999, 1 December 1999, 8 December 1999 and 30 November 1999.

6. Also attached hereto is the June 2000 4 -page description of the design that was distributed to selected people.


7. In September and October 2000, we initially consulted with the Israeli patent attorney Avner Korman at the patent firm Reinhold Cohn & Associates in Tel Aviv, Israel. Thereafter, we met with the patent attorney Gerald B. Rosenberg, NewTechLaw, Suite 520, 285 Hamilton Avenue, Palo Alto, California 94301, to discuss this invention, companion inventions and preparation of patent applications. Over the succeeding months, Mr. Rosenberg prepared the provisional applications, which was filed by his office on 27 December 2000.

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8. We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.


Isaac Levanon

Dated: Sep 24 2005


Yoni Lavi

Dated: Sep 24 2005